

MINORITY OWNED AND LOCAL SMALL BUSINESS TASK FORCE

MEETING MINUTES

July 15, 2015 – 5:30 p.m.

6th Floor Council Conference Room, Council Office Building

Members Present

Mayra Bayonet
Margo Briggs
Cherian Eapen
Warren Fleming
Julian Haffner

Herman Taylor, Chair
Bethsaida Wong

Member Absent

Janice Freeman

County Staff Present:

Karen Federman-Henry, Count Attorney's Office
Dan Hoffman, Chief Innovation Officer
Linda McMillan, County Council
Mary Anne Paradise, County Council
Linda Price, County Council

I. Call to Order

The meeting was called to order by Task Force Chair Taylor at 5:52 p.m. The minutes of July 1, 2015 meeting were unanimously approved by all members present.

II. Worksession-Review of Draft Recommendations

Ms. Price distributed an updated draft of the recommendations discussed or submitted by Task Force members to date. She suggested that the members go through the list and clarify each recommendation to begin to consolidate and refine the list.

Mr. Fleming shared his view that a commission be established to monitor implementation of the Task Force recommendations. Mr. Hoffman noted that CountyStat could be a vehicle for oversight. It will be used to track PIP recommendations, where appropriate. Ms. McMillan did note that CountyStat studies are rotated and done infrequently. She added that the Task Force should be clear in their recommendations on what they are looking for in oversight.

Mr. Fleming also shared his updated list of recommendations stating that many of the recommendations in the Task Force draft list could be consolidated.

Going through the draft list of recommendations, the Task Force concentrated their discussions on Goals/Set-Aside.

- 1. There should be a 35% mandate for all MFD eligible contracts, which would affect subcontractors.** Chair Taylor clarified his intention to mirror the State program, which has a goal of 29%. The 35% figure was to be more aggressive. When asked why a mandate could be problematic, Ms. Federman-Henry said goals are more legally defensible than mandates. Mr. Haffner added that race-based policy would come under strict scrutiny. Mr. Fleming and Ms. Wong spoke

to the need for set asides. Ms. Federman-Henry said the percentages would need to be comparable to those in the Disparity Study. Mr. Haffner and Ms. Federman-Henry suggested the Office of Procurement should determine the correct percentage, and noted that it cannot be arbitrary.

- Mr. Eapen said goals with “teeth” are needed and the granting of waivers should be avoided.
 - Ms. McMillan noted that letters showing approval or denial of waiver requests are posted on the District of Columbia’s website.
 - Mr. Taylor asked if Griffin & Strong could provide an opinion regarding an appropriate set-aside.
 - It was noted that using departments should be asked to show what they are doing to meet MFD requirements.
2. For the Local Small Business Reserve Program (LSBRP) program, currently 20% of eligible contracting dollars are set aside for purchases from local small businesses. **Establish 50% set-aside under LSBRP specifically for Minority, Female and Disabled owned prime contractors.** Special attention would be focused at addressing the disparities of African American Firms.

Ms. Bayonet asked why special attention would be focused on African American businesses and not all minority businesses. In response, Mr. Haffner noted that the Disparity Study showed that African American firms were underutilized in all service categories. However, set aside numbers must be adjusted for each minority group based on the Disparity Study for each category of service.

Ms. Price stated that the Government Operations and Fiscal Policy (GO) Committee is scheduled to discuss the final recommendations of the Task Force on September 17. Ms. Branson will attend the August 12 Task Force meeting.

Ms. Wong mentioned that the County does not have a certification process. Other items that need additional focus and attention at the next meeting include, principle place of business, training and contract administrators, and enforcement and accountability.

The Task Force will discuss these items, as well as finalize their recommendations at the July 29, 2015 meeting.

The meeting adjourned at 7:40 p.m.
